

General Assembly

Governor's Bill No. 9

February Session, 2022

LCO No. 709



Referred to Committee on APPROPRIATIONS

Introduced by:
Request of the Governor Pursuant to Joint Rule 9

AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET RECOMMENDATIONS FOR GENERAL GOVERNMENT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. Section 12-71e of the 2022 supplement to the general
- 2 statutes is repealed and the following is substituted in lieu thereof
- 3 (*Effective from passage*):
- 4 (a) Notwithstanding the provisions of any special act, municipal
- 5 charter or home rule ordinance, (1) for the assessment year commencing
- 6 October 1, 2016, the mill rate for motor vehicles shall not exceed 39 mills,
- 7 [and] (2) for the assessment [year] <u>years</u> commencing October 1, 2017,
- 8 [and each assessment year thereafter] to October 1, 2020, inclusive, the
- 9 mill rate for motor vehicles shall not exceed 45 mills, and (3) for the
- 10 <u>assessment year commencing October 1, 2021, and each assessment year</u>
- 11 <u>thereafter, the mill rate for motor vehicles shall not exceed 29 mills.</u>
- 12 (b) Any municipality or district may establish a mill rate for motor
- vehicles that is different from its mill rate for real property and personal
- 14 property other than motor vehicles to comply with the provisions of this

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- 15 section. No district or borough may set a motor vehicle mill rate that if
- 16 combined with the motor vehicle mill rate of the town, city, consolidated
- town and city or consolidated town and borough in which such district
- or borough is located would result in a combined motor vehicle mill rate
- 19 (1) above 39 mills for the assessment year commencing October 1, 2016,
- 20 [or] (2) above 45 mills for the assessment [year] <u>years</u> commencing
- October 1, 2017, to October 1, 2020, inclusive, or (3) above 29 mills for
- 22 <u>the assessment year commencing October 1, 2021,</u> and each assessment
- 23 year thereafter.
- 24 (c) Notwithstanding the provisions of any special act, municipal
- 25 charter or home rule ordinance, a municipality or district that set a
- 26 motor vehicle mill rate prior to October 31, 2017, for the assessment year
- 27 commencing October 1, 2016, may, by vote of its legislative body, or if
- 28 the legislative body is a town meeting, the board of selectmen, revise
- 29 such mill rate to meet the requirements of this section, provided such
- revision occurs not later than December 15, 2017.
- 31 (d) Notwithstanding the provisions of section 12-112, any board of
- 32 assessment appeals of a municipality that mailed or distributed, prior to
- 33 October 31, 2017, bills to taxpayers for motor vehicle property taxes
- 34 based on assessments made for the assessment year commencing
- October 1, 2016, shall hear or entertain any appeals related to such
- 36 assessments not later than December 15, 2017.
- 37 (e) For the purposes of this section, "municipality" means any town,
- 38 city, borough, consolidated town and city, consolidated town and
- 39 borough and "district" means any district, as defined in section 7-324.
- Sec. 2. Subsection (c) of section 4-66l of the 2022 supplement to the
- 41 general statutes is repealed and the following is substituted in lieu
- 42 thereof (*Effective from passage*):
- 43 (c) (1) For the fiscal year ending June 30, 2022, [and each fiscal year
- 44 thereafter,] motor vehicle property tax grants to municipalities that
- 45 impose mill rates on real property and personal property other than
- 46 motor vehicles greater than 45 mills or that, when combined with the

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mill rate of any district located within the municipality, impose mill rates greater than 45 mills, shall be made in an amount equal to the difference between the amount of property taxes levied by the municipality and any district located within the municipality on motor vehicles for the assessment year commencing October 1, 2017, and the amount such levy would have been if the mill rate on motor vehicles for said assessment year was equal to the mill rate imposed by such municipality and any district located within the municipality on real property and personal property other than motor vehicles.

- [(2) Not later than fifteen calendar days after receiving a property tax grant pursuant to this section, the municipality shall disburse to any district located within the municipality the amount of any such property tax grant that is attributable to the district.]
- 60 (2) For the fiscal year ending June 30, 2023, and each fiscal year thereafter, motor vehicle property tax grants shall be made to:
 - (A) Municipalities that imposed mill rates greater than 29 mills on real property and personal property other than motor vehicles for the preceding fiscal year, in an amount equal to the difference between (i) the amount of property taxes the municipality would have levied on motor vehicles for the preceding fiscal year if the mill rate imposed on motor vehicles for such year was 29 mills, and (ii) the amount of property taxes the municipality would have levied on motor vehicles for the preceding fiscal year if the mill rate imposed on motor vehicles for such year was equal to the mill rate imposed on real property and personal property other than motor vehicles for such year; and
 - (B) Districts that imposed mill rates that, when combined with the mill rate of the municipality in which the district is located, were greater than 29 mills on real property and personal property other than motor vehicles for the preceding fiscal year, in an amount equal to the difference between (i) the amount of property taxes the district would have levied on motor vehicles for the preceding fiscal year if the mill rate imposed on motor vehicles for such year, when combined with the

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- 79 mill rate imposed on motor vehicles for such year by the municipality 80 in which the district is located, was 29 mills, and (ii) the amount of 81 property taxes the district would have levied on motor vehicles for the preceding fiscal year if the mill rate imposed on motor vehicles for such 82 83 year, when combined with the mill rate imposed on motor vehicles for 84 such year by the municipality in which the district is located, was equal 85 to the mill rate imposed by the district on real property and personal 86 property other than motor vehicles for such year.
- 87 Sec. 3. Section 5-156a of the 2022 supplement to the general statutes 88 is amended by adding subsection (h) as follows (Effective July 1, 2022):
- 89 (NEW) (h) Any recovery of pension costs from an appropriated or 90 nonappropriated source other than the General Fund or Special 91 Transportation Fund that causes the payments to the State Employees 92 Retirement System to exceed the actuarially determined employer 93 contribution for any fiscal year shall be deposited into the State 94 Employees Retirement Fund as an additional employer contribution at 95 the end of such fiscal year.
- 96 Sec. 4. (NEW) (Effective October 1, 2022) (a) As used in this section:

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- (1) "State agency electric vehicle charging station" means an electric component assembly or cluster of component assemblies designed specifically to charge electric vehicles by permitting the transfer of electric energy to a battery or other storage device used in an electric vehicle that is owned and operated by a state agency on state property;
- (2) "State property" means real property owned by a state agency;
- 103 (3) "State agency" means any state office, officer, department, 104 division, bureau, board and commission, permanent or temporary in 105 nature, whether in the legislative, executive or judicial branch, and the subdivisions of each, including the constituent units of the state system 107 of higher education;
- 108 (4) "State employee" means any employee in the executive, legislative

LCO No. 709 **4** of 15 or judicial branch of state government, whether in the classified or unclassified service and whether full or part-time; and

- (5) "Plug-in hybrid electric vehicle", "battery electric vehicle" and "electric vehicle" have the same meanings as provided in section 16-19eee of the general statutes.
- (b) Each state agency may designate certain state agency electric vehicle charging stations as available for public use, for the sole use of state employees, or for a combination of both state employees and the public. In designating such charging stations, state agencies shall give consideration to state-owned properties that receive visitors conducting business with state agencies, including, but not limited to, service centers, maintenance facilities, correctional facilities, visitor centers, health care facilities and recreational facilities.
- (c) No person shall park a vehicle in a parking space equipped with a state agency electric vehicle charging station unless such person is charging a plug-in hybrid electric vehicle or battery electric vehicle.
- (d) Each state agency may determine the appropriate maximum charging time limits per user per charging session for its state agency electric vehicle charging stations based upon the parking needs at the state property where such charging stations are installed. Any such time limits shall be posted at such charging stations. No person shall charge a plug-in hybrid electric vehicle or battery electric vehicle in a space equipped with a state agency electric vehicle charging station for a period longer than the maximum time limit set by a state agency pursuant to this subsection.
- (e) State agencies shall assess and collect a fee established under subsection (f) of this section to both public and state employee users of state agency electric vehicle charging stations purchased and installed on or after October 1, 2022, except that any user charging an electric vehicle that is owned or leased by the state shall be exempt from paying such fee. The amount of any fees assessed pursuant to this section shall be posted at the charging station. Any fees collected under this section

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shall be deposited into the General Fund.

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- 142 (f) The Department of Administrative Services, the Joint Committee 143 on Legislative Management and the Office of the Chief Court 144 Administrator shall, in consultation with the Department of Energy and 145 Environmental Protection, establish a reasonable fee for users of state 146 agency electric vehicle charging stations for their respective branch of 147 government at a level that recovers, to the maximum extent practicable, 148 the costs associated with the electricity used by the charging stations 149 and with operating and maintaining such charging stations. Such fees 150 shall be structured on a per-kilowatt-hour basis. The fees shall be 151 updated on an annual basis or sooner if deemed necessary by the branch 152 of government setting the fee. The Department of Administrative 153 Services shall post any fees established for the executive branch of 154 government pursuant to this subsection on its Internet web site.
- (g) A violation of any provision of subsection (c) or (d) of this section shall be an infraction, provided the provisions of this subsection shall not apply to an emergency vehicle, as defined in section 14-283 of the general statutes.
- Sec. 5. Section 2-90 of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1*, 2022):
 - (a) The Auditors of Public Accounts shall organize the work of their office in such manner as they deem most economical and efficient and shall determine the scope and frequency of any audit they conduct.
 - (b) Said auditors, with the Comptroller, shall, at least annually and as frequently as they deem necessary, audit the books and accounts of the Treasurer, including, but not limited to, trust funds, as defined in section 3-13c, and certify the results to the Governor. The auditors shall, at least annually and as frequently as they deem necessary, audit the books and accounts of the Comptroller and certify the results to the Governor. They shall examine and prepare certificates of audit with respect to the financial statements contained in the annual reports of the Treasurer

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and Comptroller, which certificates shall be made part of such annual reports. In carrying out their responsibilities under this section, said auditors may retain independent auditors to assist them.

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(c) Said auditors shall audit, on a biennial basis if deemed most economical and efficient, or as frequently as they deem necessary, the books and accounts, records of operations and activities, systems and data of each officer, department, commission, board and court of the state government, all institutions supported by the state and all public and quasi-public bodies, politic and corporate, created by public or special act of the General Assembly and not required to be audited or subject to reporting requirements, under the provisions of chapter 111. Each such audit may include an examination of any relevant information concerning the department, commission, board or court of state government being audited that is in the possession or control of a private entity that has a contract with such department, commission, board or court, and such information shall be provided upon demand in a format prescribed by the auditors at no cost to the auditors or the department, commission, board or court. Each such audit may include an examination of performance in order to determine effectiveness in achieving expressed legislative purposes. Said auditors may audit each state contracting agency, as defined in section 4e-1, for compliance with provisions of statutes and regulations concerning procurement and may periodically review the procurement processes of each such state contracting agency. If a contract or procurement is referred to said auditors by the State Contracting Standards Board pursuant to section 4e-4, as amended by this act, said auditors shall evaluate any deficiencies or material weaknesses in such contract or procurement and shall provide recommendations for correction. The auditors shall report their findings and recommendations to the Governor, the State Comptroller and the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies.

(d) The Auditors of Public Accounts may enter into such contractual agreements as may be necessary for the discharge of their duties. Any

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audit or report which is prepared by a person, firm or corporation pursuant to any contract with the Auditors of Public Accounts shall bear the signature of the person primarily responsible for the preparation of such audit or report. As used in this subsection, the term "person" means a natural person.

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- (e) (1) If the Auditors of Public Accounts discover, or if it should come to their knowledge, that any unauthorized, illegal, irregular or unsafe handling or expenditure of state funds or quasi-public agency funds or any breakdown in the safekeeping of any resources of the state or a quasi-public agency has occurred or is contemplated, they shall forthwith report the facts to the Governor, the State Comptroller, the clerk of each house of the General Assembly and the Attorney General, except that if a matter reported to the Auditors of Public Accounts pursuant to section 4-33a is still under investigation by a state or quasipublic agency, the Auditors of Public Accounts may give the agency a reasonable amount of time to conduct such investigation prior to the auditors reporting the matter to said officials. (2) If the Auditors of Public Accounts decide to delay reporting such matter in accordance with subdivision (1) of this subsection, the auditors shall immediately notify the Attorney General of such decision. (3) Any Auditor of Public Accounts neglecting to make the report required under subdivision (1) of this subsection, or any agent of the auditors neglecting to report to the Auditors of Public Accounts any such matter discovered by such agent or coming to such agent's knowledge, shall be fined not more than one hundred dollars or imprisoned not more than six months, or both.
- (f) All reports issued or made pursuant to this section shall be retained in the offices of the Auditors of Public Accounts for a period of not less than five years. The auditors shall file one copy of each such report with the State Librarian.
- (g) Each state agency shall keep its accounts in such form and by such methods as to exhibit the facts required by said auditors and, the provisions of any other general statute notwithstanding, shall make all records and accounts available to them or their agents, upon demand.

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- Notwithstanding any provision of the general statutes, no state agency may deny the auditors access to their records or accounts.
- 242 (h) Where there are statutory requirements of confidentiality with 243 such records and accounts or examinations 244 nongovernmental entities which are maintained by a state agency, such 245 requirements of confidentiality and the penalties for the violation 246 thereof shall apply to the auditors and to their authorized 247 representatives in the same manner and to the same extent as such 248 requirements of confidentiality and penalties apply to such state agency. 249 In addition, the portion of (1) any audit or report prepared by the 250 Auditors of Public Accounts that concerns the internal control structure 251 of a state information system or the identity of an employee who 252 provides information regarding alleged fraud or weaknesses in the 253 control structure of a state agency that may lead to fraud, or (2) any 254 document that may reveal the identity of such employee, shall not be 255 subject to disclosure under the Freedom of Information Act, as defined 256 in section 1-200.
- 257 (i) Said auditors shall audit, in accordance with the provisions of 258 section 10-91g, the records and accounts of any private provider of 259 special education services, as defined in said section. Any private 260 provider of special education services being audited by said auditors 261 shall provide any information said auditors deem necessary to conduct 262 such audit.
- Sec. 6. Section 4e-4 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):
- Except as otherwise provided in the general statutes, the board shall have the following authority and responsibilities with respect to procurements by state contracting agencies:
- 268 (a) Recommend the repeal of repetitive, conflicting or obsolete 269 statutes concerning state procurement;
- 270 (b) Review and make recommendations concerning proposed

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- 271 legislation and regulations concerning procurement, management,
- control, and disposal of any and all supplies, services, and construction
- to be procured by the state, including, but not limited to:
- 274 (1) Conditions and procedures for delegation of procurement 275 authority;
- 276 (2) Prequalification, suspension, debarment and reinstatement of prospective bidders and contractors;
- 278 (3) Small purchase procedures;
- 279 (4) Conditions and procedures for the procurement of perishables 280 and items for resale;
- (5) Conditions and procedures for the use of source selection methods
 authorized by statutes and regulations concerning procurement;
- 283 (6) Conditions and procedures for the use of emergency 284 procurements;
- (7) Conditions and procedures for the selection of contractors by processes or methods that restrict full and open competition;
- 287 (8) The opening or rejection of bids and offers, and waiver of errors 288 in bids and offers;
- 289 (9) Confidentiality of technical data and trade secrets submitted by actual or prospective bidders;
- 291 (10) Partial, progressive and multiple awards;
- 292 (11) Supervision of storerooms and inventories, including 293 determination of appropriate stock levels and the management, 294 transfer, sale or other disposal of publicly-owned supplies;
- (12) Definitions and classes of contractual services and procedures foracquiring such services;

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- 297 (13) Regulations providing for conducting cost and price analysis; 298 (14) Use of payment and performance bonds; 299 (15) Guidelines for use of cost principles in negotiations, adjustments 300 and settlements; and
- 301 (16) Identification of procurement best practices;

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- (c) Adopt regulations, pursuant to chapter 54, to carry out the provisions of statutes concerning procurement, in order to facilitate consistent application of the law and require the implementation of procurement best practices;
- (d) Make recommendations with regard to information systems for state procurement including, but not limited to, data element and design and the State Contracting Portal;
- 309 (e) Develop a guide to state statutes and regulations concerning 310 procurement, for use by all state contracting agencies;
 - (f) Assist state contracting agencies in complying with the statutes and regulations concerning procurement by providing guidance, models, advice and practical assistance to state contracting agency staff relating to: (1) Buying the best service at the best price, (2) properly selecting contractors, and (3) drafting contracts that achieve state goals of accountability, transparency and results based outcomes and to protect taxpayers' interest;
- (g) Train and oversee the agency procurement officer of each state 319 contracting agency and any contracting officers thereunder;
 - (h) Review and certify, on or after January 1, 2009, that a state contracting agency's procurement processes are in compliance with statutes and regulations concerning procurement by:
- 323 (1) Establishing procurement and project management education and 324 training criteria and certification procedures for agency procurement

LCO No. 709 **11** of 15 officers and contracting officers. All agency procurement officers and contracting officers designated under this provision shall be required to maintain the certification in good standing at all times while performing procurement functions;

- (2) Approving an ethics training course, in consultation with the Office of State Ethics, including, but not limited to, state employees involved in procurement and for state contractors and substantial subcontractors who are prequalified pursuant to chapter 58a. Such ethics training course may be developed and provided by the Office of State Ethics or by any person, firm or corporation provided such course is approved by the State Contracting Standards Board;
 - (i) Recertify each state contracting agency's procurement processes, triennially, and provide agencies with notice of any certification deficiency and exercise those powers authorized by section 4e-34, 4e-39 or 4e-40, as applicable, if a determination of noncompliance is made;
 - (j) Define the contract data reporting requirements to the board for state agencies concerning information on: (1) The number and type of state contracts of each state contracting agency currently in effect statewide; (2) the term and dollar value of such contracts; (3) a list of client agencies; (4) a description of services purchased under such contracts; (5) contractor names; (6) an evaluation of contractor performance, including, but not limited to records pertaining to the suspension or disqualification of contractors, and assuring such information is available on the State Contracting Portal; and (7) a list of contracts and contractors awarded without full and open competition stating the reasons for and identifying the approving authority; [and]
 - (k) Provide the Governor and the joint standing committee of the General Assembly having cognizance of matters relating to government administration with recommendations concerning the statutes and regulations concerning procurement; [.] and
 - (l) Refer a contract or procurement of a state contracting agency to the Auditors of Public Accounts for evaluation of any deficiencies or

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material weaknesses in such contract or procurement.

- Sec. 7. Section 21a-420f of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- (a) (1) There is established an account to be known as the "cannabis regulatory and investment account" which shall be a separate, nonlapsing account within the General Fund. The account shall contain any moneys required by law to be deposited in the account. Moneys in the account shall be allocated by the Secretary of the Office of Policy and Management, in consultation with the Social Equity Council, as defined in section 21a-420, to state agencies for the purpose of paying costs incurred to implement the activities authorized under RERACA, as defined in section 21a-420.
 - (2) Notwithstanding the provisions of section 21a-420e, for the fiscal year ending June 30, 2022, the following shall be deposited in the cannabis regulatory and investment account: (A) All fees received by the state pursuant to section 21a-421b and subdivisions (1) to (11), inclusive, of subsection (c) of section 21a-420e; (B) the tax received by the state under section 12-330*ll*; and (C) the tax received by the state under chapter 219 from a cannabis retailer, hybrid retailer or microcultivator, as those terms are defined in section 12-330*ll*.
 - (b) (1) There is established an account to be known as the "social equity and innovation account" which shall be a separate, nonlapsing account within the General Fund. The account shall contain any moneys required by law to be deposited in the account. Moneys in the account shall be allocated by the Secretary of the Office of Policy and Management, in consultation with the Social Equity Council, to state agencies for the purpose of (A) paying costs incurred by the Social Equity Council, [as defined in section 21a-420, and] (B) administering programs under RERACA to provide (i) access to capital for businesses, (ii) technical assistance for the start-up and operation of a business, (iii) funding for workforce education, and (iv) funding for community

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investments, and (C) paying costs incurred to implement the activities authorized under RERACA.

- (2) Notwithstanding the provisions of sections 21a-420e and 21a-420o, for the fiscal year ending June 30, 2022, the following shall be deposited in the social equity and innovation account: All fees received by the state pursuant to sections 21a-420l_z 21a-420o and 21a-420u and subdivisions (12) and (13) of subsection (c) of section 21a-420e.
- (c) (1) On and after July 1, 2022, there is established a fund to be known as the "Social Equity and Innovation Fund" which shall be a separate, nonlapsing fund. The fund shall contain any moneys required by law to be deposited in the fund and shall be held by the Treasurer separate and apart from all other moneys, funds and accounts. Moneys in the fund shall be appropriated for the purposes of providing the following: Access to capital for businesses; technical assistance for the start-up and operation of a business; funding for workforce education; [and] funding for community investments; and paying costs incurred to implement the activities authorized under RERACA. All such appropriations shall be dedicated to expenditures that further the principles of equity, as defined in section 21a-420.
- (2) (A) For the purposes of subdivision (1) of this subsection, for the fiscal year ending June 30, 2023, and for each fiscal year thereafter, the Social Equity Council shall transmit, for even-numbered years, estimates of expenditure requirements and for odd-numbered years, recommended adjustments and revisions, if any, of such estimates, to the Secretary of the Office of Policy and Management, in the manner prescribed for a budgeted agency under subsection (a) of section 4-77. The council shall recommend for each fiscal year commencing with the fiscal year ending June 30, 2023, appropriate funding for all credits payable to angel investors that invest in cannabis businesses pursuant to section 12-704d.
- (B) The Office of Policy and Management may not make adjustments to any such estimates or adjustments and revisions of such estimates

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transmitted by the council. Notwithstanding any provision of the general statutes or any special act, the Governor shall not reduce the allotment requisitions or allotments in force pursuant to section 4-85 or make reductions in allotments in order to achieve budget savings in the General Fund, concerning any appropriations made by the General Assembly for the purposes of subdivision (1) of this subsection.

(d) On and after July 1, 2022, there is established a fund to be known as the "Prevention and Recovery Services Fund" which shall be a separate, nonlapsing fund. The fund shall contain any moneys required by law to be deposited in the fund and shall be held by the Treasurer separate and apart from all other moneys, funds and accounts. Moneys in the fund shall be appropriated for the purposes of (1) substance abuse prevention, treatment and recovery services, and (2) collection and analysis of data regarding substance use. The Social Equity Council may make recommendations to any relevant state agency regarding expenditures to be made for the purposes set forth in this subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	from passage	12-71e
Sec. 2	from passage	4-66l(c)
Sec. 3	July 1, 2022	5-156a
Sec. 4	October 1, 2022	New section
Sec. 5	July 1, 2022	2-90
Sec. 6	July 1, 2022	4e-4
Sec. 7	from passage	21a-420f

Statement of Purpose:

To implement the Governor's budget recommendations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

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